

NON-FEDERAL EMPLOYMENT AND OUTSIDE ACTIVITIES

Are there any limits on a Federal employee's non-Government work and activities?

- Yes. A Federal employee may engage in outside work or activities, but only if they do not conflict with Government duties. An activity is not allowed if:
 - it is prohibited by law (such as if it involves lobbying Federal agencies or employment with a foreign government);
 - it will require disqualification from important Government duties; or
 - it creates the appearance of using public office for private gain.

When is an employee disqualified from participating in Federal duties because of an outside activity?

- An employee must disqualify himself or herself from working on a matter that would affect the financial interests of an outside employer or an organization in which the employee serves as an officer or director; and on matters in which a client, a recent former employer or client, or an organization in which the employee is active is a party (or is representing a party).

Are there restrictions on outside teaching, speaking, and writing?

- Yes. An employee may not receive any payment (except travel reimbursement) for teaching, speaking, or writing related to the employee's Government duties, including if:
 - the activity was part of official Government duties,
 - the payment is from someone with interests that could be affected by performance of the employee's duties, or
 - the subject matter of the lecture or writing concerns the programs or operations of the Department.If the payment is to a non-career employee, payments (including travel reimbursement) may not be accepted if the topic concerns the general subject area or economic sector primarily affected by the employee's agency.

Are there any exceptions to the rules on outside teaching?

- Yes; an employee may be paid for teaching a course that is part of a school's regular curriculum, even if related to official duties. However, the general rules on incompatible outside employment apply.

A WORD ABOUT ETHICS

Prepared by the Ethics Division, Office of the Assistant General Counsel for Administration, United States Department of Commerce – January 5, 2006